



**Construction Contract  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 17  
AGENDA DATE: Mon 09/13/2004  
PAGE: 1 of 3**

**SUBJECT:** Authorize execution of a construction contract with ENTACT SERVICES LLC, Friendswood, TX, for the site remediation at Mabel Davis Park to include the removal of contaminated soils, removal of battery casings, off-site pond remediation, installation of landfill cap, leachate collection, channel improvements, wastewater line improvements, site grading and vegetation in the amount of \$6,728,897.53 plus a 20% contingency, for a total contract amount not to exceed \$8,074,677.04

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$7,656,452.83 is available in the Fiscal Year 2004-2005 Capital Budget of the Solid Waste Services Department and is contingent upon the passage of the Fiscal Year 2004-2005 Budget. Funding in the amount of \$418,224.21 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.

**FISCAL NOTE:** A fiscal note is attached.

<b>REQUESTING</b> Public Works	<b>DIRECTOR'S</b>
<b>DEPARTMENT:</b> for Solid Waste Services; Austin Water Utility;	<b>AUTHORIZATION:</b> <u>Sondra Creighton</u>

**FOR MORE INFORMATION CONTACT:** Christina Calvery, 974-7094; Hani Michel, P.E., 974-1962, Chuck Lesniak, R.E.M., 974-2699; Anne Scharlach, P.E., 479-1648, Laura Bohl 974-7064

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** Recommended by the Zoning and Platting Commission, the Environmental Board, and the Parks and Recreation Board.

**PURCHASING:** Lowest bid of three received.

**MBE / WBE:** This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

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From 1944 to 1955, the City of Austin, pursuant to an agreement with St. Edward's University, placed municipal solid waste on a tract owned by the University that included the present site of Mabel Davis Park. Because the extent and nature of the materials in the landfill was largely unknown, the Mabel Davis Park Landfill Site Assessment and Remediation Project was initiated in 1993 to assess the impact of the landfill on the park and surrounding properties, to address required remediation and to provide for long term care and maintenance.

In 1992, Radian International, L.L.C. (now known as URS Corporation, a Nevada Corporation) was hired and initially focused on identifying the boundaries of the landfill, evaluating water quality impacts and whether landfill gas posed a threat to adjacent properties.

In 1995, as part of the development of a long-term care and maintenance plan, URS Corporation identified the need for flood control and drainage improvements. In 1999, during design work for these improvements large numbers of automotive battery casings were discovered at the site. As a result of this



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discovery, select areas of the park were evaluated for lead (Pb) contamination. Analysis of soil samples collected in the selected areas revealed the existence of lead (Pb) contamination. The results of these sample analyses resulted in the City entering into a Voluntary Cleanup Agreement with the Texas Commission on Environmental Quality (TCEQ). Mabel Davis Park Landfill was entered into the TCEQ Voluntary Cleanup Program in 2000 and was assigned VCP# 1156 as the program's identification number. Additional sampling in the public areas of the park required under this agreement revealed pesticide contamination suspected to be related to a 1979 release event. The discovery of the pesticides resulted in the closure of the park by the City in May 2000 to allow for the further testing.

An extensive site sampling plan and health and safety plan was developed and was implemented by URS Corporation. Additional environmental consulting services, under separate contract, were necessary to complete the assessment of the extent of the existing environmental contamination at the site and to develop and submit an Affected Property Assessment Report (APAR), Ecological Services Analysis (ESA), and Response Action Plan (RAP) required by and for TCEQ's Voluntary Cleanup Program's approval. These activities allowed the City to complete the determination of the risk, if any, to public health and safety, to provide information necessary to estimate the cost of the final remediation of the site and to comply with state regulations.

A Request for Qualifications (RFQ) was issued in November 2002 seeking qualified environmental consulting expertise to design a site remediation plan for Mabel Davis Park, develop environmental construction drawings and specifications and to provide construction phase services during the remediation activities. The objective was to address widespread soil contamination, rehabilitate a historical municipal landfill, manage landfill leachate, stabilize the stream channel crossing the landfill, and decrease long-term maintenance costs.

URS Corporation was selected as the environmental consultant in December, 2002 to develop the site remediation plan for Mabel Davis Park. Comprehensive plans and specifications have been developed to address the environmental concerns at the park. The site is defined as an uncontrolled hazardous waste site per federal OSHA regulations 29 CFR 1910.120. Consequently, Hazardous Waste Operations and Emergency Response (HAZWOPER) training and certification is required for all workers on site. When the remediation efforts are complete, an environmental closure approval letter is expected from TCEQ Voluntary Cleanup Program.

This project will also include wastewater improvements that will consist of approximately 1,000 linear feet of 8-inch sewer line in Wickshire Lane and 1,000 linear feet of 12-inch sewer line in the northern portion of Mabel Davis Park and from Wickshire Lane to Metcalfe Road. These wastewater improvements are a part of Austin Water Utility's Austin Clean Water Program (ACWP), which was developed to respond to the requirements of the Environmental Protection Agency's Administrative Order regarding Sanitary Sewer Overflows.

Construction is scheduled to begin no later than November 2004. The remediation project is to be completed as quickly as possible so the park can be reopened in its entirety for public use by October 2005. Numerous public meetings have been held to discuss the remediation plans for the park. Another public meeting will be held in September 2004 to introduce the selected Contractor to the surrounding neighbors and stakeholders.



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Due to the potential for unknown underlying hazardous constituents, a 20% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 300 Calendar days for completion of this project.

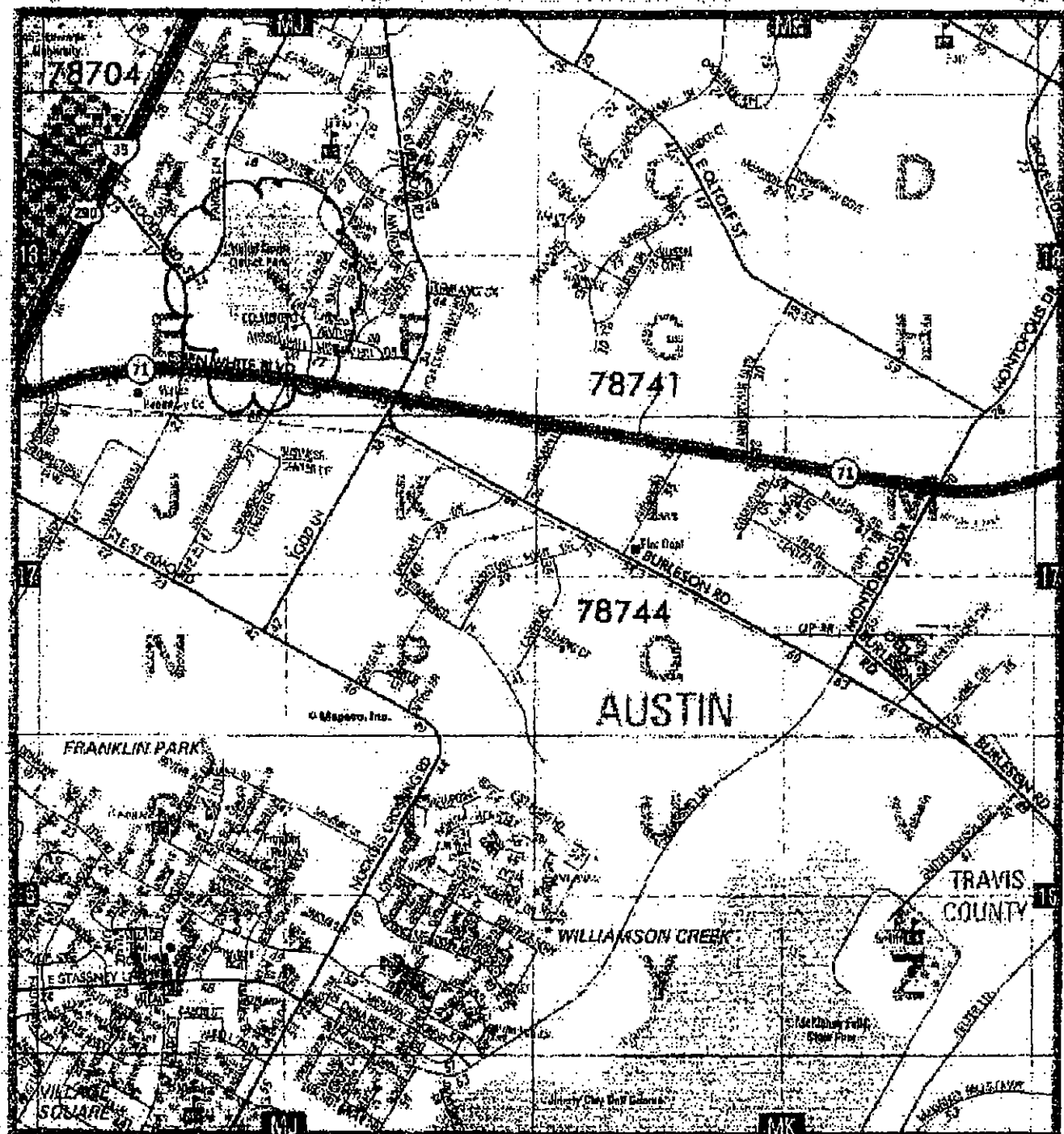
Bid documents were distributed to eleven (11) general contractors. Bids were opened on August 16, 2004. *The low bidder firm name submitted the lowest of three (3) bids received:*

ENTACT Services LLC, Friendswood, TX	\$6,728,897.53
Recon, Remedial Construction Services, Houston, TX	\$9,239,833.78
Envirocon, Inc., Golden, CO	\$ Non-Responsive

No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

This is a highly specialized project because of the hazardous soil contamination in the closed landfill. These out-of-town contractors are accustomed to doing the majority of the work themselves with few subcontracting opportunities at bid time. It is anticipated that opportunities for small businesses may become available during construction.

CONTINUED ON MAP 613



CONTINUED ON MAP 644

CONTINUED ON MAP 675

CONTINUED ON MAP 646

SCALE IN MILES

0 1 2 3 4 5 6 7 8 9 10

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SCALE IN FEET

0 1000 2000 3000 4000 5000

BOOK PAGE 1284

## CIP FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**  
**WHERE ON AGENDA:**  
**DEPARTMENT:**

9/2/2004  
Resolution  
Austin Water Utility

**DESCRIPTION:**

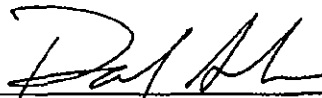
Authorize execution of a construction contract with ENTACT SERVICES LLC, (NON MBE/WBE DESIGNATION), Friendswood, TX for the site remediation at Mabel Davis Park to include, but not limited to, the removal of contaminated soils, removal of battery casings, off-site pond remediation, installation of landfill cap, cutoff wall, leachate collection, channel improvements, wastewater line improvements, site grading and vegetation in the amount of \$6,728,897.53 plus a 20% contingency, for a total contract amount not to exceed \$8,074,677.04

**FINANCIAL INFORMATION:**

Parent Project Name:	Wastewater Unfunded Future
Project Authorization:	2003-04 Approved Capital Budget
Funding Source:	Commercial Paper
Number:	4570 237 2017

Current Appropriation	\$ 410,907,293.00
Unencumbered Balance	131,924,052.31 *
Amount of This Action	<u>(418,224.21)</u>
Remaining Balance	<u>\$ 131,505,828.10</u>
Current Available Balance	\$ 147,248,859.61
Less Outstanding Commitments	<u>(15,324,807.30)</u>
Estimated Unencumbered Balance	<u>\$ 131,924,052.31 *</u>

Utility Finance: \_\_\_\_\_



David Anders, Utilities Finance Manager

Date: \_\_\_\_\_

8/18/04

**REF # 4570 237 8758**

**CIP  
Fiscal Note**

**DATE OF COUNCIL CONSIDERATION:**  
**WHERE ON AGENDA:**  
**DEPARTMENT:**

9/13/2004  
Resolution  
SWS

**DESCRIPTION:** Authorize execution of a construction contract with ENTACT SERVICES LLC, NON MBE/WBE DESIGNATION, Friendswood, Texas for the site remediation at Mabel Davis Park to include, but not limited to, the removal of contaminated soils, removal of battery casings, off-site pond remediation, installation of landfill cap, cutoff wall, leachate collection, channel improvements, wastewater line improvements, site grading and vegetation in the amount of \$6,728,897.53 plus a 20% contingency, for a total contract amount not to exceed \$8,074,677.04.

**SWS**

Project Name: Closed Landfill Assessments  
Project Authorization: 2004-05 Capital Budget  
Funding Source: Environmental Remediation Fund Xfr; Certificates of Obligation  
Number: 4800-157-0150

Current Appropriation	\$11,606,674.00
Unencumbered Balance	\$10,347,099.00
Amount of This Action	<u>(\$7,166,877.08)</u>
Available Balance	\$3,180,221.92

Project Name: Closed Landfill Assessments - Mabel Davis  
Project Authorization: 2004-05 Capital Budget  
Funding Source: Browfields Cleanup Revolving Loan Fund  
Number: 4800-157-New

Current Appropriation	\$489,556.00
Unencumbered Balance	\$489,556.00
Amount of This Action	<u>(\$489,556.00)</u>
Available Balance	\$0.00

Department: Doc Cooper, Division Manager, Finance Date: 8-24-04  
RCA #5987 Keith Murray, Budget  
Kim E. Mitchell